

Exhibit D

Cate Brewer

From: Derek Loeser
Sent: Friday, August 21, 2020 9:28 AM
To: Cameron Christensen
Cc: Steven Christensen; Benjamin Gould; Gretchen Freeman Cappio
Subject: Re: Jabbari v. Wells Fargo

Cameron - we received your offer and will be raising it with Judge Chhabria when we update the Court on the status of the Settlement.

Best regards,
Derek Loeser
Keller Rohrback
206 419 2198.

Sent from my iPad

On Aug 21, 2020, at 8:31 AM, Cameron Christensen <cameron@christensenyounglaw.com> wrote:

Derek,

Just following up on this offer. Please let us know.

Thank you,

Cameron

On Wednesday, August 19, 2020, Cameron Christensen <cameron@christensenyounglaw.com> wrote:
Derek,

Thank you for reaching out. We respectfully disagree with your contention that the Supreme Court is unlikely to grant cert.

Our position is that the Ninth Circuit has committed an error by only addressing one of our arguments. The failure to address the majority of our legal, procedural, and factual arguments is reversible error.

Further, there is a circuit split on predominance inquiry as articulated in the Court's ruling. The Sixth Circuit recently acknowledged this split in *Martin v. Behr Dayton Thermal Prod. LLC*, 896 F.3d 405 (6th Cir. 2018). With the gravity of this case, the various, superior state law claims, and the circuit split, this issue is ripe for the Supreme Court to grant cert.

Nonetheless, our client is anxious to resolve this dispute. He offers to waive his appeal in exchange for a sum of \$400,000.00

Please present this to your client and let me know as soon as possible.

On Tue, Aug 18, 2020 at 11:10 AM Derek Loeser <dloeser@kellerrohrback.com> wrote:

Steve & Cameron - just making sure you received this email with the attached proposed stipulation. We are hoping to update Judge Chhabria later this week. Thank you.

Sent from my iPad

On Aug 17, 2020, at 1:47 PM, Derek Loeser <dloeser@kellerrohrback.com> wrote:

Dear Steven and Cameron,

As we discussed previously, now that the mandate has issued and the case is back in front of Judge Chhabria, we are eager to move forward with distribution of the settlement proceeds to class members. To do that, the Court needs affirmation that the objectors do not intend to seek cert. Particularly given the current pandemic and related economic circumstances, we are hopeful you are willing to provide this affirmation so class members can start receiving checks. We think we can all agree that it is highly unlikely that the Supreme Court would grant cert. in this case, and that seeking cert. will only further delay much needed payment to class members.

If allowing the settlement to move forward now is acceptable to you, we propose filing a short stipulation with Judge Chhabria that would indicate that (1) the named Plaintiffs and the certified settlement class will not attempt to recover costs, expenses, or attorneys' fees from your clients, pursuant to 28 U.S.C. § 1927, or on any other basis; and (2) your clients will dismiss their objection and not seek certiorari. A draft stipulation is attached to this email for your review and consideration. We also will be proposing a status conference with Judge Chhabria as soon as the Court is available in which all objectors will have the opportunity to indicate their intentions going forward.

As this email should make clear, we are really hoping you agree that at this point and at this time, it is important to allow the settlement to move forward so that class members can receive much needed funds.

Thank you and best regards,

Derek W. Loeser

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<Joint Stip Re Objection Johnston[4].docx>

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